

LAW ENFORCEMENT NEWS

January 4, 1977

ISSN 0364-1724
Vol. III, No. 1

LAW ENFORCEMENT NEWS
444 West 56th Street
Room 2104
New York, NY 10019

IN THIS ISSUE

| | |
|--|------|
| News Brief..... | 2 |
| LEAA Publishes Rules On Data Confidentiality..... | 3 |
| Virginia Residents See Drugs As Main Crime Cause..... | 3 |
| Bombing Incidents Rise 26 Percent..... | 3 |
| Study Urges Establishment Of Victim/Witness Advocates..... | 3 |
| Burden's Beat..... | 4 |
| Interview: Winston-Salem's Head of Public Safety Norman E. Pomrenke..... | 6-7 |
| Criminal Justice Job Lines..... | 8 |
| Criminal Justice Library..... | 9-10 |
| Upcoming Events..... | 11 |
| New Projects For Police Personnel..... | 12 |
| Alabama Ends Use Of Unmarked Traffic Cars After Rape Incidents..... | 12 |

U.S. Advisory Panel Urges State Action on Organized Crime, Tighter Scrutiny of CJ Planning

The states should create their own units to combat organized crime, and criminal justice researchers should examine whether or not their studies involve trivial issues, according to two separate reports released last month by a Federal advisory committee.

Entitled "Organized Crime" and Criminal Justice Research and Development," the reports were released on December 22 by the National Advisory Committee on Criminal Justice Standards and Goals, an LEAA-funded group which was formed in 1975.

In regard to the organized crime problem, the committee recommended that each state establish a council to develop and carry out "a statewide program to prevent and control organized crime and the corruption related to it."

States should also set up organized

crime investigating commissions "with independent, permanent status and the specific mandate to expose the role that organized crime plays in illegal activities, corruption, and improper practices in government," the committee said.

Other committee suggestions include the establishment of special prosecutors, statewide grand juries, witness immunity and protection statutes, electronic surveillance laws, election campaign financing reforms, stiffer sentences for special offenders, and jurist removal procedures.

LEAA Administrator Richard W. Velde stated that the public underestimates the seriousness of organized crime's penetration into government and legitimate businesses, and he noted that states lack the tools to fight the problem directly.

"I hope that this report invokes widespread interest in a situation that has been neglected far too long by all but a handful of people," Velde said. "I urge everyone concerned with creating a safer society to read this volume. It contains a wealth of practical suggestions."

New Jersey Governor Brendan T. Byrne, who served as chairman of the advisory committee, summarized the conclusion of the group's organized crime task force, noting that "any massive effort to combat organized crime of necessity would involve not only [police prosecutors] but also the citizenry at large — persons who have for

so long been content to see the problem dealt with by others."

"An increased concern by the private citizen is an indispensable prerequisite," Byrne said, adding that the task force report recommended citizen crime control commissions to work with law enforcement agencies.

The report itself provides a capsulized account of organized crime operations in various sections of the country. It concluded that organized crime is a nationwide problem that includes not only known criminals but also "deceptively legitimate individuals."

Task force members said that organized crime figures have moved into a variety of businesses to cover their operations. They cited hotels and race tracks used as fronts for gambling; freight companies and airlines as fronts for smuggling drugs, weapons, jewelry, cigarettes, and alcohol; massage parlors as fronts for prostitution; and theaters, book stores, and film companies as fronts for pornography.

Suggesting that prosecutors' offices be removed from the political arena, the task force said that assistant prosecutors should be full-time, career government employees. It also recommended the adoption of nonpartisan selection plans for the judiciary, financial and professional disclosure requirements, and strict conflict-

Continued on page 5

Police Foundation: Telephoning Effective as Victim Survey Aid

Telephone victimization surveys are as effective as the more expensive face-to-face studies, and can be a useful tool for local police agencies to measure crime in their communities, according to a recently published Police Foundation report.

"Reliable measures of crime victimization are needed to improve the effectiveness of operations planned to combat crime," the study of police studies declared. "Reliable measures of crime are essential for both planning and evolution."

While police have had to rely on citizen reporting of crime to determine a community's crime rate, victimization surveys conducted during the past 10 years have demonstrated that, for several reasons, two to five times as much crime as is reflected by police reports may exist, the study said.

The cost of victimization surveys that utilize direct-contact interviews is prohibitive, however. "Inflation and the rising cost of energy have conspired to increase greatly the cost of face-to-face surveys such as those used by LEAA-Census," the report noted. "At the same time, government units at all levels, academic researchers, and public interest groups are finding it more and more difficult to acquire the financial resources needed to support their data collection needs."

The report states that a low-cost alternate to personal interviews is random digit dialing (RDD), a telephone survey technique that utilizes a mathematical formula to randomly select subjects.

After testing the technique, the study found that RDD "has all the usual benefits of telephone surveying, while apparently

avoiding the sampling biases — particularly the exclusion of households with unlisted telephone numbers — that traditionally have plagued telephone surveys."

"The findings of this report contribute to, helping police administrators, municipal managers, state planners and the research community define the nature of the crime problems which a community faces," Police Foundation President Patrick V. Murphy said. "Improved police productivity and more efficient crime control are dependent on obtaining reliable crime data at reasonable costs."

Entitled Random Digit Dialing: Lowering the Cost of Victimization Surveys, the report is based on a 1974 Police Foundation-funded comparison between random digit dialing and the personal interview approach used in LEAA and Census Bureau victimization surveys.

"For most applications, the LEAA-Census survey methods are prohibitively expensive, especially when local programs are being planned or evaluated because local resources cannot usually meet the cost that the LEAA-Census approach requires," the report said. "The approach is a serious one because crime is fought mostly on the local level."

In a forward to the study, Joseph H. Lewis, the Police Foundation's director of evaluation, noted that RDD could lower the cost of victimization surveys by 70 to 80 percent.

"The report also constitutes a handbook with straightforward directions for administrators, planners, researchers, or sponsors

Continued on page 11

FBI Stats Show Serious Crime Up 2%, Violent Crime Dropping

America's serious crime rate for the first nine months of 1976 was up two percent over the same period of 1975, while violent crimes decreased five percent, according to the latest FBI statistics.

Attorney General Edward H. Levi, who announced the figures on December 21, said the overall rise of two percent compares with an increase of 11 percent during the first nine months of 1975 over 1974. The latest statistics represent the smallest national increase since 1973, when the number of reported serious criminal acts rose only one percent over the previous year.

As a group, the violent crimes of murder, forcible rape, robbery and aggravated assault declined five percent during the reporting period. Individual FBI figures revealed that murder and robbery each decreased 10 percent, while forcible rape and aggravated assault showed no change.

According to the Attorney General, larceny-theft was the only index offense to show an increase for the nine month period. While burglary was down five percent and motor vehicle theft dropped six per-

cent, the nation experienced an eight percent jump in larceny-theft.

"There has been a steady slowing in the percent of increase for the last nine months, and it is, of course, gratifying that violent crimes as a group continue to show an absolute decrease," Levi said. "But the basic fact we mustn't forget is that crime still remains an urgent national problem."

FBI Director Clarence M. Kelly released the nine-month figures, which were contained in the bureau's Uniform Crime Reports.

In analyzing the statistics, Kelley explained that the overall crime picture for the period was significantly influenced by the large number of larceny-theft offenses reported to law enforcement agencies.

The director noted that thefts from motor vehicles and thefts of motor vehicle parts and accessories made up 49 percent of all reported larceny-thefts. This amounted to a rise of 31 percent for these two categories of larceny-theft as compared to the 1975 figures, he added.

Noting that the statistics are based upon

Continued on page 5

Videotapes Now Available!!

International Criminal Justice Seminar

A five part seminar dealing with Comparative Criminal Justice Systems

Each part is available in the following formats:

- 1" (\$40.00)
- ½" (\$30.00)
- ¾" (\$40.00)
- Audio tapes of each part, \$15.00 each (reel or cassette)
- Entire set — 1" or ¾" (\$180)
- ½" (\$130)

Part I

H.V.D. Hallett, Assistant Chief Constable, Maidstone, Kent

"Police Training and Recruiting in Great Britain" — A brief history of the British system of policing; description of the training of British police officers;

40 min., b/w

Part II

David Powls, Deputy Assistant Commissioner, Metropolitan Police London, England

"Police-Community Relations in Great Britain" — A discussion of the difference between police risks in Great Britain and the United States, as well as the differences in attitudes between British and American Police officers.

50 min., b/w

Part III

Lawrence Byford, Chief Constable Lincolnshire, England

Discussion of the concept of British police in British society and how it differs from the American;

60 min., b/w

Part IV

Sean Sheehan, Assistant Commissioner Garda Siochana, Phoenix Park, Dublin

"Role of the Police in the Republic of Ireland" — Brief historical background on the organization and formation of the Irish Police force; how, as a National force, it differs from the British and American departments;

40 min., b/w

Part V

Lucien Durin, Former Deputy Director, National Police College, Lyon, France

"The Police Systems of France" — The organization of the French police system, the purposes and responsibilities of the National police force;

60 min., b/w

To order, specify which parts of the seminar you desire. Be sure to indicate the number of tapes, format and cost.

Name _____

Address _____

City _____ State _____ Zip _____

Tel. No. () _____

Return this completed coupon along with check and your order sheet to:

Criminal Justice Center
John Jay College of Criminal Justice
444 West 56th Street
New York, New York 10019

NewsBriefs . . . NewsBriefs . . .

ATF, Navy Experts Demonstrate Bomb Techniques For Vir. Police

Investigators from the Virginia State Police recently participated in an explosives investigation seminar in which Navy ordnance experts detonated explosive devices to demonstrate bomb detection and prevention.

Sponsored by the Richmond branch of the Bureau of Alcohol, Tobacco and Firearms (ATF), the day-long workshop consisted of three hours of classroom training at the state capital and simulated investigations at the Naval Surface Weapons Center's Dahlgren Laboratory.

At the laboratory's "terminal range," the 27 investigators watched through peepholes and periscopes positioned behind a concrete bunker as the Navy reduced three junked cars to rubble with hidden explosive devices. The participants were assigned in teams to the cars to determine the specific cause of each blast, using techniques taught to them earlier in the day.

A second demonstration illustrated how military explosives could be used for criminal purposes. The Navy specialists ignited slightly less than two pounds of detonating cord in an open field, creating a sharp burst of flame and smoke. Experts told reporters that the specifics of the test should not be disclosed.

Lt. James L. Lettner, field supervisor for the state police division, said that the instruction is part of an increased effort to deal with the use of explosives in crime and to educate all state investigators on the different types of devices used.

California HP Seeks Men And Women Trooper Cadets

For the first time in its history the California Highway Patrol is recruiting men and women jointly for its traffic officer cadet class which will begin in July of this year.

According to a patrol spokesman, women who are presently on the force were recruited in a women-only examina-

tion process conducted in 1974 for a special two-year study. Entry requirements are now the same for both sexes, and successful applicants will qualify for the new classification of state traffic officer-cadet, a rating held throughout the training period.

Commissioner Glen Craig said applications will be accepted by the State Personnel Board between January 7 and January 28. Application forms may be obtained on and after January 7 at any CHP or Personnel Board office. A written exam will be conducted on February 19.

Greensboro, NC Police Post Stakeout Warning Signs

Thieves in Greensboro, North Carolina are now being given fair warning that their acts may be under observation. Members of the crime and loss prevention unit in that city's police department have posted the following notice at their stakeout locations:

Robber/Burglar Notice

This is a

STAKEOUT LOCATION

When Challenged by Police

- Do not move or turn
- Raise your hands immediately
- Drop your weapon immediately

Scotland Yard Commissioner Retires; McNee Named to Head Force

Scotland Yard Commissioner Sir Robert Mark will retire from the London Metropolitan Police in March and will be replaced by David B. McNee, the Chief Constable of the Strathclyde Police.

McNee, 51, joined the City of Glasgow Police as a constable in 1946. He was appointed Deputy Chief Constable of Dunbartonshire in 1968. He returned to Glasgow as Chief Constable of the city's force in 1971, and four years later was appointed to head the Strathclyde department.

Mark recently notified the British Home Secretary of his decision to retire on March 12, when he reaches his 60th birthday.

Boston Police Complete Major Administrative Shifts

The Boston Police Department recently completed an administrative shake-up that includes the consolidation of several bureaus and divisions within the department, the filling of some vacant positions and the reassignment of key command staff members.

Commissioner Joseph M. Jordan said the changes "reflect a tightening up of the command structure of the department." He added that the consolidation of units will provide for more accountability among the force's command staff.

One of the major changes that went into effect on December 22 involved the merger of the Bureau of Management Services and the Bureau of Administrative Services. Superintendent John M. Lynch, who headed the management bureau, has been put in charge of the combined unit. The position of Chief of Administrative Services had been vacant since the retirement of Superintendent Charles Cobb on December 7.

Another administrative shift will broaden the responsibilities of the department's Bureau of Inspectional Services to include all specialized investigative operations. The move consolidates both internal and external investigatory functions into the modified unit, now called the Bureau of Investigative Services.

The new command will comprise Inter-

nal Affairs, Staff Inspection, and Planning and Research Divisions and a new division combining the old Intelligence Division with specialized detective functions such as the Drug Control, Robbery Suppression and Homicide Units. Deputy Superintendent John Barry, the former head of the Internal Affairs Division, has been named to command the Criminal Investigation Division.

Judge Threatens Chicago P.D. With New Hiring Quotas

A Federal judge has threatened the Chicago Police Department with the reimposition of racial quotas after the department apparently failed to abide by a previously agreed upon recruitment plan.

District Judge Prentice H. Marshall, who has withheld Chicago's revenue-sharing allotment for nearly a year in the continuing battle over the hiring of minorities and women, had set a 25.8 percent quota for the recruitment of black and Hispanic males nearly four months ago. A list of 250 recruits to be admitted to the training class beginning this month showed a ratio of minority males of 19.3 percent. Marshall ordered the addition of 15 more minority males to the class, bringing the ratio up to 24 percent.

LAW ENFORCEMENT NEWS

Law Enforcement News is published twice monthly on the first and third Tuesdays of the month by L.E.N., Inc. in cooperation with the Criminal Justice, 444 West 56th Street, New York, NY 10019. Subscription rates: \$8.00 per year (20 issues). Advertising rates available on request.

Editor Peter Doderhoff
Managing Editor Michael Balton
Associate Editors Dorothy Bracey
Karen Kaplowitz
Joseph Peterson
John Stead
Circulation Claire Villareal
Subscriptions James Tozzo
Advertising Arthur Portnow
Administration Charles Tozzo
Publisher Richard H. Ward

Contributing Writers: Michael Blinick, Ordway P. Burden, Janet E. Fishman, Robert McCormack, Steven Pasichow, Antony E. Simpson.

Correspondents: Dave Baxter (Missouri), Kenneth Bovasso (Nebraska), Don Dahlstrom (Michigan), Gary Denise (California), Joyce Denise (California), George Felkenes (Alabama), Ashley Fields (Missouri), Tom Gitchoff (California), Dorothy Guyot (New Jersey), Preston Horstmann (Maryland), Dan King (Wisconsin), Art Kingsbury (Michigan), Tom Landers (Pennsylvania), William Mathias (South Carolina), Walter McGreevy (Ohio), Richter Moore (North Carolina), Ivar Paur (California), Lillian Reilly (New Jersey), Steven Rice (Ohio), Barbara Sacks (New Jersey), Joe Schott (Texas), Glenford Shibley (Rhode Island), Darrel Stephens (Missouri), Mark Thompson (New Hampshire), Tom Twyford (New York), Tom Ward (New York).

'ELECTRONIC SPYING'

THE MOST THOROUGH, INFORMATIVE PUBLICATION OF ITS KIND. CLEARLY SHOWS THE MOST COMMON TECHNIQUES AND EQUIPMENT USED IN BUGGING AND WIRETAPPING.

THIS CONCISE, NON-TECHNICAL, FULL SIZE, (8 1/2 X 11), FORMAT BOOK COVERS THE ENTIRE RANGE OF PROCEDURES AND DEVICES EMPLOYED IN ELECTRONIC SURVEILLANCES. SOME OF THE SUBJECTS PRESENTED ARE:

- MINIATURE WIRELESS TRANSMITTERS.
- LISTENING THROUGH WALLS.
- TAPPING THE PHONE LINE. (INCLUDING A COMPLETE SECTION ON PHONE WIRING.)
- LONG DISTANCE LISTENING.
- THE PHONE USED AS A ROOM 'BUG.'
- CHEAP, READILY AVAILABLE DEVICES USED BY 'AMATEUR' EAVESDROPPERS.

AND MUCH MORE. THIS BOOK IS A VALUABLE EDUCATION FOR ANYONE WHO IS IN ANY WAY INVOLVED WITH THE FIELD OF LAW-ENFORCEMENT.

COVER PRICE IS \$7.95. THIS BOOK CAN BE ORDERED DIRECTLY FROM ITS PUBLISHER FOR \$6.00. (WITH THIS AD.)

MENTOR PUBLICATIONS
135-53 NORTHERN BOULEVARD
FLUSHING, NEW YORK
11354

LEAA Issues New Guidelines to Protect Data Confidentiality

Federal regulations were issued last month to safeguard the confidentiality of personal information collected during government research and statistical projects.

Drafted by the Law Enforcement Assistance Administration and published in final form in the Federal Register, the standards require that data identifying individuals in LEAA-funded research and statistical programs be restricted to the use for which it was obtained.

The guidelines further mandate that LEAA-financed researchers will, in most cases, have to notify individuals about the potential uses of their personal data and tell the subjects whether participation in the research program is or is not voluntary.

LEAA Administrator Richard W. Velde, commenting on the reason for the standards, explained that both the public and Congress have become increasingly concerned about the confidentiality of research and statistical data during recent years. "The Privacy Act has reminded citizens once again that they have personal confidentiality rights that in the past have not always been sufficiently respected," he said.

"As far as we know, LEAA is in the forefront in this area," Velde added. "What we are trying to guard against is the misuse of private information, and we intend to see to it that the regulations are effective and are enforced."

The need for enforcement of the privacy regulations stems in part from increased computer research functions. Velde pointed out that the growing use of computerized techniques for tabulating and analyzing data has increased the potential for using personal data that might otherwise remain buried in volumes of raw statistics.

The regulations will clarify the respon-

sibilities of researchers supported by the agency's grants and contracts, and will apply to all research information collected in projects awarded after July 1, 1973.

Basic records, such as individual criminal history data, are not covered by the standards per se. However, the rules will apply to the research or statistical compilations based on the original data. Other Department of Justice regulations already control the use of these basic records in most cases.

In addition, the new rules contain a specific exemption for information designated as public records, or extracted from them. They also exempt data collected for operational activities directly related to law enforcement.

Another provision of the regulations states that copies of research or statistical information compiled by LEAA-funded projects and containing identifiable information will be immune from legal process and will not be admitted as evidence or used for any purpose in judicial or administrative proceedings without the consent of the person identified.

In regard to future LEAA projects, the regulations require that any application for research assistance be accompanied by a privacy certification ensuring compliance with the regulations and establishing procedures to guarantee it.

The regulations were first published in draft form in the September 24, 1975, Federal Register. Public hearings were held October 16, 1975 and the finalized standards appeared in the Register on December 15, 1976.

Further information about the rules may be obtained from Harry Bratt or Carol Kaplan, LEAA, National Criminal Justice Information and Statistics Service, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

ATF Reports 26% Increase in Bombing Incidents in 1976

The Bureau of Alcohol, Tobacco and Firearms investigated a record 2,272 explosive incidents last year which represents a 26 percent increase over 1975, according to the bureau's year-end statement.

In the report, ATF Director Rex T. Davis noted that in 1975 his agency responded to 1,682 incidents, which was 590 less than the 1976 figure. The category includes accidental bombings; bomb attempts, threats and hoaxes; and explosive thefts, recoveries and seizures.

The director reported that 1,011 explosive and incendiary bombing investigations were included in the 1976 total. "AFT is especially alarmed by the increase in bombings from 871 in 1975 to more than a thousand in 1976," he said. "Finding ways to head off and apprehend criminals who make and set bombs has the highest kind of priority in the bureau."

Davis said that his agency has made excellent progress in the past few months toward developing a system which will allow investigators to detect bombs before they explode, or to trace the source of detonated bomb components. However, the director did not disclose details about the system.

Geographically, California had the greatest number of explosive incidents investigated by AFT with 263; Ohio had 203; and Kentucky had 138. The fewest number of

incidents occurred in Nebraska and North Dakota, with two each.

The report said ATF investigated 734 explosive bombings in 1976, compared with 716 during the previous year. However, incendiary bombing almost doubled, from 132 in 1975 to 251 in 1976.

According to the report situations which involved stolen explosives remained relatively stable, rising from 289 in 1975 to 298 in the past 12 months. ATF is currently producing a number of public service announcements to petition citizens assistance in preventing explosive thefts and recovering stolen explosives. The report noted that ATF special agents made 437 recoveries last year as compared with 251 in 1975.

Although the bureau is successfully cracking down on explosive thefts, bomb threats and bomb hoaxes are on the rise. The bureau investigated 49 threats and 53 hoaxes in 1976, while figures for the previous period show 37 threats and nine hoaxes, the report said.

Despite the increase in explosive incidents, Davis said there were decreases in the loss of life, number of injuries, and property damage related to explosions last year. He noted that when the final figures are compiled for 1976, it is expected that about 52 persons will have died and 239

Continued on page 5

Drugs Seen as Main Crime Cause By Virginians, Study Reports

Virginia residents perceive illegal drug use as the major cause of crime in the state and they are willing to commit additional tax dollars to combat the problem, according to a recently released survey completed for the state's criminal justice planning agency.

Conducted by a private research firm, the study said that 69 percent of the respondents clearly regarded drug use and/or addiction as the single most important factor leading to crime, and that narcotics control ranked highest in priority in terms of citizen willingness to commit extra tax money for selected law enforcement problems.

Virginians seem to regard crime in general as a fundamental state problem. According to the survey, 55 percent specifically cited concerns in the area of crime and law enforcement when asked to describe in their own words the two or three most important problems facing their community.

From a listing of 12 important issues, the problems of crime and the sale and use of hard drugs ranked third and fourth respectively, just behind inflation and unemployment. Juvenile delinquency was ranked eighth in priority.

Although the study found that 50 percent of all Virginians aged 16 or older admit that there is a firearm in their household, better than seven out of ten respondents favored registration of handguns and nearly two out of three favored registration of rifles.

Overall survey figures revealed that 73 percent favored tighter handgun controls and 61 percent supported rifle registration.

About half of the respondents reported contact with local police during the past year, and one third said that they personally have been the victim of a crime in the past few years.

Most victimization experiences involved burglary or vandalism, and the study found that a quarter of the burglary victims and

almost four out of 10 vandalism victims did not report the crime to the police because they felt that the crime was not very serious or that reporting it would accomplish nothing.

More than three out of four Virginians gave the state police favorable marks, according to the study, and other police functions were rated favorably.

While the state's residents who were polled also gave high marks to all court functions except the Juvenile and Domestic Relations Courts, respondents said one of the most serious criminal justice problems is that "judges hand down sentences that are too lenient." They added that other judicial problems include: "a backlog of cases waiting to be heard," citizen fear of testifying in criminal trials, and "cases dragged out too long."

Other study findings include:

- Three out of four respondents were not at all familiar with the state's recent change from an independent to a unified court system.

- Most respondents have taken specific steps to protect themselves against crime within the last few years: 37 percent have increased their alertness, 21 percent do not go out alone at night, 26 percent leave dangerous areas, and 31 percent leave lights or radios on when they are not at home.

- The state received relatively low marks in preventing and controlling juvenile delinquency, as well as in the area of rehabilitating delinquents.

- A plurality of respondents felt that rehabilitation was the most important purpose of the corrections system. In rating actual state practice, Virginians felt the system gave priority to punishment, with rehabilitation ranking second.

Completed by Quayle, Plesser and Company, the survey consisted of 1,000 personal interviews with a scientifically selected cross section of the state's population.

— Thomas M. Spratt

Marquette U. Urges Advocate System for Victims, Witnesses

Assistance units that would aid victims and witnesses in criminal cases should be established on a local level to address such problems as intimidation by defendants, loss of wages while testifying and frustration with the criminal justice system, according to a study released last month by LEAA.

The Office of Citizen Justice Advocate would be created on a county-by-county basis and financed locally, the study said. It would serve as an ombudsman to deal with problems associated with victims and witnesses.

Funded by LEAA's National Institute and conducted by Marquette University, the \$316,000 study also recommended that extensive publicity be given to victim and witness services currently available in the community.

To promote more efficient crime reporting and citizen case follow-through, the study suggested the use of fees to compensate victims for lost job income and transportation costs when testifying in court or being interviewed by police and prosecutors.

The study also recommended the use of a single prosecutor to handle a victim or witness through the entire judicial process and suggested that earlier notification be

given to victims and witnesses when scheduled court appearances are delayed.

Project Director Richard Knudten noted that crime victims often were reluctant to participate in the judicial process. "We found that a person who has been robbed or burglarized often has a negative, self-protective attitude," the director said. "He feels little will really be done to recover his property or punish the criminal. He reasons he can cut his losses, in terms of time saved and lost wages, by not becoming involved in the judicial process and making repeated trips to the police station and courthouse."

Fred Heinzmann, who monitored the study for LEAA, said that generally victims are twice as likely as nonvictims to take at least one precaution to deal with the threat of crime.

"The most specific response to the crime incident was that the victim acquired a weapon," Heinzmann added.

The study also found that persons who had been victims of more than one crime tended to view victimization as more likely and were somewhat more likely to have reported the crimes. It noted that about half of the survey victims feared they would be a victim of a crime again within the next year.

Computer Systems Said Vital In Some Juvenile Justice Zones

Computerized juvenile justice information systems are operating effectively and are indispensable in some of the nation's jurisdictions, while other juvenile agencies are still reluctant to trust their record computers, according to a recently released report by the National Council of Juvenile Court Judges.

Entitled *Juvenile Justice Information Systems: A National Assessment*, the report is the culmination of a one year, in-depth survey of 20 juvenile justice computer installations around the nation.

The survey is the first phase of the council's Juvenile Information Requirements System Analysis (JIRSA). It was designed to ascertain the state of the art of juvenile justice computer data collection for the purpose of developing a model system for courts in Phase II of the project.

Most of the computer data systems were conceived and implemented in the 1970s, the report said, adding that computerized information systems in juvenile justice are still in the pioneering stage.

"In some cases, the systems are operating effectively and are an indispensable part of the agencies' programs," said N. Corrine Smith, public relations director for the council. "In other instances, there is still reluctance on the part of some agencies to trust this tool."

According to Smith, the report concludes that for such a system to be successfully integrated into an agency's programs, there must be strong and continuing administrative support.

Juvenile justice information systems are used for three main purposes, the survey found: management reporting, nameindexing and record checking, and caseload monitoring.

Noting that three questions must be addressed before a computerized information system is introduced, the report said administrators must establish guidelines for the expungement and purging of records, develop policies governing the distribution of both personal and collective information generated by the system, and develop guidelines for employees regarding the confidentiality of information in the computer.

The second phase of the JIRSA project will involve the development of a model juvenile justice information system, a set of standardized data definitions, and a document explaining how to implement the system.

Copies of *Juvenile Justice Information Systems* are available from: National Council of Juvenile Court Judges, Department of Systems and Technology, P.O. Box 8978, Reno, Nevada 89507.

- ✓ **Police Christmas Cards**
- ✓ **Handcuff Jewelry**
FOR MEN AND WOMEN
- ✓ **Custom Police Jewelry**

Send for your Catalog: 50c
Refundable on your first order.

J. B. Benson Enterprises
P.O. BOX 2877-EN
ANAHEIM, CALIFORNIA 92804

A Total Professional Photographic Equipment Product Line For:

- STUDIO
- INDUSTRIAL
- LAW ENFORCEMENT
- MEDICAL PHOTO LABS



Color Enlarger
with Meter
Color Paper
Processors
Paper Easels
Temperature Control
Valves
Safelight

Camera - SLR
Long Roll
Front Projection
System
Chemical Mixers
Densitometer
Chemical Storage
Tanks

A Year Around Free Color Training Program

For details and literature contact your local Nord Technical Representative by calling his toll free message center 800-328-4365. Or write Nord we will send literature in a flash!

NORD[®]
PHOTO ENGINEERING, INC.
529 South 7th Street, Minneapolis, Minnesota 55415

BURDEN'S BEAT

By ORDWAY P. BURDEN

Using Offender Tracking Reports

An experimental study of the criminal justice system in Joliet, Illinois, has just been completed, and a preliminary report forwarded to me by Gary M. Fitzgerald, acting director of criminal justice planning in that city. Under this study persons arrested for selected felony offenses were tracked through the Will County Courts.

Arrests for homicide, rape, armed robbery, burglary, felony drug delivery or possession and aggravated battery were followed up to allow police to see the results of their efforts, to publicize the operation of the local criminal justice system, and to bring to light problems and areas needing improvement. Attempts and juvenile arrests were excluded from scrutiny.

One of the first facts uncovered by the Joliet tracking report was that more than half of the persons arrested either had the original police charges reduced or were not prosecuted at all by the State's Attorney's office. The main reason for this high rate of failure to prosecute, according to the report, is the discrepancy between charging criteria of police and those of prosecutor. Police, on the one hand, are given fairly broad discretion in making an arrest, needing only reasonable grounds or probable cause. More stringent rules exist for the prosecutor, however, directing him to determine whether the available evidence establishes beyond a reasonable doubt that the person charged committed the crime.

Another powerful reason for not prosecuting many cases is the very limited resources of the prosecutor's office. In Will County only about 15 percent of the felony cases can be prepared for trial by the present State's Attorney's staff. This sometimes results in plea bargaining, in reducing a felony charge of aggravated battery to simple battery, misdemeanor. However, the Will County State's Attorney's Office on the whole engaged in little plea bargaining, thereby making it all the more important for the prosecutor to select which felonies to prosecute carefully.

The Joliet offender tracking report poses a number of recommendations for improving the local charging process.

¶ The discrepancy between police arrests and those cases which pass prosecutor screening could be limited by better communication between the two offices. The prosecutor should provide the police department with a detailed outline of what kind of information should be recorded at the time of arrest, and a format for presentation.

¶ The State's Attorney's office should notify police officials immediately of changes, either constitutional or statutory, in search and seizure laws.

¶ The Police Department should consider experimenting with greater specialization within its ranks. Evidence suggests that those officers who concentrate on one type of crime, such as forgery, achieve a higher than average rate of clearance.

The offender tracking report also followed the progress of misdemeanor cases through the Will County courts, discovering that there was a backlog of no fewer than 3,000 cases awaiting a jury trial. This means an average time lapse of two years between arrest and trial, during which time almost all offenders are out on bail.

The reason for the huge trial accumulation is a defect built into the system. Under present conditions, the most effective method for defense and client to avoid conviction is to plead not guilty and request a jury trial. Time works to the benefit of the defense, for the burden of proof rests on the prosecution and the delay makes it difficult to produce reliable witnesses. And after an interval of twenty-four months, the utility of punishment can also be questioned.

The report offered several explanations for the backlog. One is the right of every defendant to a jury trial in the state of Illinois. The Federal Constitution provides that jury trials be available only when the penalty for the offense is more than six months imprisonment.

Another factor contributing to the backlog is the disrepute into which plea bargaining has fallen. Until 1974, pre-trial conferences were held for cases where a jury trial had been requested, and negotiations were conducted in which a lesser charge and/or sentence were offered in exchange for a guilty plea. The problem in Joliet points out a very basic tension in American criminal courts — plea bargaining may be of dubious moral value, but the lack of it also results in miscarried justice.

The Joliet report states that if the public wishes to enable the courts to dispense justice with speed and fairness, some form of plea bargaining must be incorporated into the system, or more judges must be added. A combination of the two may provide a solution.

More judges will cost a great deal of money and before this becomes feasible the public must understand that better justice demands more money. People are becoming increasingly aware of the system's failures and this may lead to a demand for greater accountability on the parts of judges and attorneys. For example, the Joliet report recommends that the minutes of the meeting where initial bond is determined should be made public, with the specific recommendations of the defense and prosecution, and the judicial decision recorded.

It also suggests that judges be required to record reasons for granting continuances.

The Offender Tracking Study of the City of Joliet is an illuminating outline of the problems of the criminal justice system, and one that I hope will be repeated in many other cities. It provides hard, cold facts which underline the incapacity of the courts to mete out justice except to a small percentage of the total number of cases, and even then in a way that is unacceptably slow and inefficient. However, work such as that being done under Mr. Fitzgerald may help bring about a change in public attitudes and, ultimately, legislative solutions to the problem.

Ordway P. Burden invites correspondence to his office at 651 Colonial Boulevard, Westwood P.O., Washington Township, NJ 07676.

Standards and Goals Panel Issues First Task Force Reports

Continued from page 1
of interest laws.

The task force, which included former New York State Special Prosecutor Maurice Nadjar, proposed that organized crime prosecutors "be permitted by state law to undertake various types of operations, including those of an undercover nature, to insure that the criminal justice system within the jurisdiction is free from the corrupting influence of organized crime."

Although the committee approved of the use of mock cases to "test integrity," it noted that such procedures "should be authorized only under judicial supervision."

The chairman of the organized crime task force, John F. Kehoe, Jr. noted that "organized crime is a field that calls out for attention." He added that the task force was "keenly aware of the difficulty of developing comprehensive standards in an area so new and untried."

"The thrust of this report, therefore, is toward a general framework for public and private effort against organized crime," Kehoe said. "The report leaves to the individual state, municipality, organization, business, or citizen many particulars of how to implement that framework."

The committee's second report, concerning research and development, recommended that criminal justice policymakers "be in a position to determine whether researchers have addressed the correct questions" in developing programs for study or experiment.

The report urges that researchers carefully examine their study proposals to assure that the proper issues have been raised. It adds that planners should check if their hypotheses are trivial, or if they constitute the core of an issue whose importance is grounded in theory or practice; if alternative methodologies have been considered; and if so, the

grounds on which the proposed methods were chosen over others.

Federal expenditures for crime research and statistics have increased more than eightfold since the establishment of LEAA in 1969, the report said, noting that the agency distributed \$13.2 million during its first year while it handed out \$110.2 million in grants during fiscal year 1976.

Velde said that better methods are particularly appropriate in the criminal justice disciplines, explaining that research was practically nonexistent before the 1960s. "Good research has got to be cost-effective," he said. "Our resources go only so far. This report is the best attempt I know of to make sure that policymakers are made aware of how to scrutinize research efficiency."

Commenting on the overall work of the committee, the LEAA administrator said that the creation of criminal justice standards and goals is an ongoing process. "We must continue to set new goals and then strive to reach them if we intend to understand and deter crime, rehabilitate offenders, and assist crime victims," he said.

Committee Chairman Byrne remarked that the group "knows from experience that there is an urgent need in the United States for improvement in all facets" of the system. "The nation has for too long proceeded on an ad hoc and noncoordinated basis," he said. "The results have not been satisfactory and there are now demands for improvement and change."

Peter P. Lejins, who headed the research and development task force, said the report's "purpose is not to produce permanent prescriptive packages, but

rather to provide a base for further elaboration [that] should lead to further improvement and refinement in criminal justice research and development."

The report recommends that agencies which finance criminal justice research and development require researchers involved in the collection of sensitive data to use procedures to guarantee its confidentiality. On December 15, regulations requiring LEAA-funded researchers to protect personal information were published in the Federal Register. [See story page 3.]

The committee also called for the creation of a national criminal justice data archive and a national laboratory for technology research and development.

Byrne noted that although LEAA supported the committee's work, all reports and other committee activities were the product of a large group of independent state and local experts. Other committee studies of juvenile justice and delinquency prevention, disorders and terrorism, and private security are in preparation.

The National Advisory Committee's reports are a continuation of the work of the 1973 National Advisory Commission on Criminal Justice Standards and Goals, which published a six-volume report that proposed standards for police, courts, corrections, criminal justice systems, and community crime prevention.

"Organized Crime" is available for \$3.75, and "Criminal Justice Research and Development" for \$3.10, from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Urge Caution in Easing Victimless Crime

The National Advisory Committee on Criminal Justice Standards and Goals has urged state legislatures to exercise caution in decriminalizing or legalizing so-called victimless crimes such as gambling, prostitution and pornography.

In an appendix to its report on organized crime, the committee warned that "the partial legalization of gambling and pornography not only appears to have increased the levels of these activities, but also may have increased profits for organized crime."

Benjamin L. Zelenko, a Washington attorney, was the only committee member dissenting from the appendix's conclusion. He recommended instead that states study "whether the

limited resources of the criminal justice system can be better mobilized by reclassifying certain conduct as non-criminal."

However, the report maintained that legalization plans based on the concept that the removal of harsh penalties for victimless crimes would reduce corruption and allow police to focus on more serious offenses do not work.

"Actual experience with legalization in certain areas indicates that these arguments are not realistic," the advisory group said. The report added that legal off-track betting and state lotteries had not lured gamblers away from illegal bookies and numbers games.

Sharp Rise in Bombings Noted

Continued from page 3
persons will have been injured as a result of explosions. Figures for the previous year indicate that there were 69 deaths and 326 injuries.

The report noted that \$27 million in property damage was caused by bombings in 1975, nationally, and estimated that the bomb damage for 1976 would be \$13 million.

ATF regulates the explosives industry and shares responsibility with the FBI for the investigation of bombings. About 70 percent of the bombings in the nation are investigated by the bureau, usually in

support of state and local law enforcement agencies.

"Bomb cases are difficult, with blasted, confused bits of evidence confronting the investigator," Davis said. "But even in an election year, when ATF was pleased to provide some 33,000 man-days of support to the Secret Service, arrests for explosives violations rose about 15 percent."

According to the report, ATF had presented evidence for indictments in about 200 explosive cases in 1976. During the same period, bureau experts also testified more than 250 times in state and local explosives cases throughout the country.

FBI Says Serious Crime Up 2%

Continued from page 1
the number of crime index offenses reported to law enforcement agencies, Kelley said the index consists of the offenses of murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft and motor vehicle theft. He pointed out that the offenses are considered serious because of their nature or frequency of occurrence.

"The slowed growth of crime index offenses for the first three quarters of 1976 should in no way slacken our efforts in the constant struggle against crime," the director said. "It is too soon to determine if we have a long-term trend developing with these figures."

When broken down geographically, the UCR figures reveal that the Northeastern states experienced an eight percent increase in crime; serious offenses were up one percent in both the Southern and Western states, and crime in the North Central states decreased one percent.

The figures also showed that suburban and rural law enforcement agencies reported increases in serious crime of one percent. Cities with populations of 100,000 or more experienced a two percent jump in reported crime index offenses, although 76 cities of over 100,000 inhabitants had a decline in serious crime during the reporting period.

ARSON INVESTIGATION SEMINAR

presented by

John Jay College of Criminal Justice

January 31 -- February 4, 1977

This seminar is the result of the coordinated efforts of the Fire Science Department, the Science Department and the Criminal Justice Center of John Jay College. The subject of arson will be examined in all its facets from the work of the field investigator to that of the forensic scientist. Our aim is to provide the basic knowledge needed by fire investigators to combat this rapidly increasing crime.

Featured Speakers

- Dr. Peter DeForest, John Jay College
- John Kelly, NYPD Bomb Squad
- Sgt. Michael Youder, NYPD
- Augustus Bonadio
- Prof. Charles Ryan, John Jay College
- Fire Marshal John Knox, NYFD
- Deputy Chief Fire Marshal John Barracato, NYFD

Selected Topics

- types and motives of arsonists
- criminal investigation
- survey of chemistry and physics of fire
- combustion properties of common fuels
- investigation of structural fires
- investigation of explosions
- capabilities of the forensic lab
- insurance co. investigation role

Please register the following individuals for the seminar which will be held at John Jay College, 445 West 59th Street, New York, NY 10019, January 31-February 4, 1977.

Name _____
Address _____
City _____ State _____ Zip _____
☐ Registration fee enclosed ☐ Will pay at door

The registration fee of \$50.00 includes coffee and seminar materials. Checks should be made payable to the Criminal Justice Center and sent to Ms. Nancy Rutkowski, Criminal Justice Center, John Jay College of Criminal Justice, 444 W. 56th St., Room 3203 S, New York, NY 10019. For more information, call (212) 247-1600.

Policing and the 'Public Safety' Concept

An Interview with Norman Pomrenke of Winston-Salem, N.C.

Norman E. Pomrenke was appointed Assistant City Manager for Public Safety of Winston-Salem, North Carolina in July, 1974. Prior to that, he served as a major in the Baltimore (Maryland) Police Department and headed the Department of Criminal Justice at the University of Baltimore.

Pomrenke's police career began in Oakland, California where he served as a patrolman specializing in undercover and vice investigations. While a member of the Oakland force, he received intensive training in prostitution, gambling and narcotics investigatory techniques.

The recipient of an MS in Criminology from Florida State University, Pomrenke also holds a B.S. in Police Administration from Michigan State University and an A.A. in Public Administration and Criminal Justice from Compton College in California.

This interview was conducted for Law Enforcement News by Robert McCormack.

• • •

LEN: Winston-Salem approximately three years ago made the transition from separate police and fire agencies to a public safety type of arrangement. What is your title? How do you refer to yourself?

POMRENKE: Just Assistant City Manager.

LEN: How big is your department?

POMRENKE: There are approximately 680 people in the total public safety system of Winston-Salem. This breaks down into not only the police function but the fire function, the total communications process, the total training process, and the legal process for public safety itself.

LEN: In order for us to understand the public safety concept of Winston-Salem would you explain exactly how many police and how many fire personnel you have in your department?

POMRENKE: I think prior to doing that, perhaps I ought to explain the public safety function itself. The public safety function is nothing more than the recognition that police officers have historically arrived at the fire scene in most of the cases before the fire apparatus gets there. The public safety concept is that if the police are going to get there before or at the same time anyway, then perhaps you can better utilize manpower by

the problems of management are the same, whether you're talking about police department management or fire department management. It's worked out really well. I've found that I haven't had any trouble learning the technical aspects of fire service and, all in all, I'd say that it's a logical blend of management concepts in local government.

LEN: One of the concepts that is predominant in almost every urban area is the subject of productivity. Could you give us some idea as to what increases in productivity you've achieved by combining the two functions?

POMRENKE: We found, for example, that if you look at a traditional city and, by traditional, I'm talking about cities that have a separate police department and a separate fire department you'll find that they have about two policemen or two firemen per 1,000 population. When you look at the operation of the city of Winston-Salem, you find that with our public safety operation we have the opportunity, from a productivity standpoint, to put 2.52 officers per 1,000 in the police function and we only have 1.48 officers per 1,000 population that are in what you would call the fire stations themselves. This, of course, I think is probably the greatest aspect of productivity in government service: to utilize the men as you need them on a twenty-four hour period and yet have them available for another function that doesn't occur as often as police service.

LEN: Before we get to the point where we're making all the police departments in the United States into public safety agencies, is there some sort of a cut off point, in terms of the size of the city or the size of the department, that would effectively have a bearing on the practicality of this approach?

POMRENKE: I certainly wouldn't advocate the public safety concept for the major cities in the United States. I find, for example, that in Winston-Salem, with a nighttime population of about 135,000 and a daytime population of about 200,000, that the concept works really well. One city that has a population of about 300,000 is doing a study now and it is going to be very interesting if they go to the public safety approach because my personal feeling is that those cities with a population around one-third of a million and below have a good opportunity

area of traditionalism. We've had the traditional police and traditional fire departments and each has spent a number of years, I guess, justifying their function. And to come and say, wait a minute perhaps police can do some fire function and fire can do some police function, is sort of throwing tradition to the wind to a certain extent. So that most of the problems that I've seen are the problems of change and the inherent conflict that change creates in terms of traditionalism.

LEN: So, it's really a typical management problem. Anytime you introduce change into a system you wind up with certain types of anxieties and certain personnel problems and once this transition period is over it pretty much straightens itself out. Is that what you're saying?

POMRENKE: Yes, that's basically correct. And one of the advantages that I see over the last couple of years, and it's still continuing, involves the austerity in governmental budgets. I don't think we'll ever go back to where we have the budgetary means to do everything we want to. And because of the economic recession and austerity budgets from here on up many, many police and fire departments across the country are considering the merger. Now this makes it much easier because the manpower in traditional police and fire departments know what this economic squeeze is. So when cities, or even police and fire departments, have recommended this type of system they are automatically over one hurdle, because the manpower in fire and police departments know that something has to be done. So they are basically geared for a new type of productivity and the only new type of productivity that can come out of it is the public safety system. I now must spend a good twenty percent of my time talking to various jurisdictions about what public safety is, how it works in Winston-Salem, and a number of other things related to public safety.

LEN: So the interest is there.

POMRENKE: The interest is definitely there. In the last few months, the city manager from Fort Lauderdale has been in Winston-Salem studying our system. We've done a series of three hours of interviews for Orlando, Florida; this, of course, is through the newspapers. Charlotte, North Carolina is doing a study. We've done the range of Chapel Hill, North Carolina, converting it. Oakland Park, Florida has converted to public safety, and more and more cities are converting to that system not only because it's more productive from the standpoint of men but it's also more economic when you look at it down the road. **LEN:** Could we get to some specifics because I'm sure that the interest in this type of combined services is a very real one. How many of these centralized police and fire stations do you have that have to be manned on a twenty-four hours a day basis?

POMRENKE: Right now we're running with eleven engine companies. Each engine company of course has its own station. These are manned by what we call full-time fire personnel — at this particular time.

LEN: How many would be involved in each one of those units?

POMRENKE: Of the eleven, seven are what we call public safety units, and the other four are what we call traditional. Now our traditional fire units are in the downtown area which we call high value/high risk sections of the city. The seven public safety companies are in the periphery of the city, primarily in the residential area. The manpower in each traditional fire company consists of four men on duty at all times. The manpower in a public safety company is three at the present time. Now, it might appear that we're operating with one less man in public safety operations than we are in traditional companies. But I would also like to point out that we presented a re-organizational plan for our Board of Aldermen last spring in which myself and the fire chief — and I think it's very interesting that the fire chief assisted in this — recommended a further reduction of fire personnel in public safety companies. He recommended, and I agreed with him, that we have only two men on duty. When we did this we ran into the furor of 170 firefighters. At our board meeting they were, of course, there in attendance and as a result the board deferred judgment on this further reduction of fire personnel until a later

Continued on page 7

“Those cities with a population around one-third of a million and below have a good opportunity to explore this approach to find out whether or not public safety works.”

training police personnel in the fire function so that they can assist with the fire itself. At the present time in Winston-Salem we have approximately 170 personnel in the fire service, and we have approximately 300 in the police service.

LEN: Do you also have a group of people who are designated as public safety officers and who are separate and distinct from the police and fire individuals who identify with these particular specialties?

POMRENKE: The public safety officers are different only in classification. They're assigned a police function on the street and they look just like any other police officer except that they are capable of responding to a fire. Now at the present time, we have approximately 140 public safety officers. And as traditional policemen and firemen retire through normal attrition rates, we are only hiring public safety officers. This was a decision made by our Board of Aldermen about three years ago and eventually we'll be at the point where we have only public safety officers, probably within the next ten years.

LEN: Can you give us any idea how you made the transition from a criminal justice background, from being a police officer in the Oakland police department and a superior officer in the Baltimore police department? How did you make the transition from police to fire?

POMRENKE: When I was first offered the position in Winston-Salem, I had some anxiety about taking over because I didn't have too much of a background in fire. But since I've been in Winston-Salem, I've found that

to explore this approach to find out whether or not public safety works. I know, from all my experience, that in cities the size of Winston-Salem and in cities lower in population, the system of public safety is an asset. I think it will work, providing, of course, you have the appropriate planning before you enter into it.

LEN: As I understand it, the entire city government was reorganized in the process of reorganizing both police and fire. Can you give us some idea how this transition took place and what kinds of problems you ran into in terms of personnel?

POMRENKE: The real history of public safety in Winston-Salem goes back to roughly 1957 when they just started to explore what they called a fire-police system in one small area of the city. And then through its evolution, the real impetus for public safety came approximately three years ago. We've done an awful lot of integration of the training function. We've taken the typical police training function and the typical fire training function and we've created what we call the career development center which has responsibility for all training. We did the same thing in communications we pulled police communications and fire communications together so that all we have now is public safety communications. We did the same thing with the legal advisor. He is now the public safety legal advisor rather than a police legal advisor, which allows him to have access to all aspects of public safety.

The basic area, I think, that you have to face is the

"Based upon whether we have success with team policing, [we'd like] to utilize fire stations as team headquarters throughout Winston-Salem. If you look at the statistics you'll find those areas that have a high fire incident rate also have high crime rates."

Continued from page 6

date. However, the firefighters did agree that when we build a new fire station, which should be in early 1977, manning of that fire station will be done with existing personnel. So I think that this is a good indication that even our firefighters are well aware of economic conditions and the need for increased productivity of personnel.

LEN: When these units that are stationed in the fire houses respond to the scene are they supplemented by a "police" public safety vehicle with two men who also turn into firemen right off the bat?

POMRENKE: Here's what happens. Let's take our number eight engine which is basically in the northwest part of the city, in a predominantly residential area. Whenever there is an alarm of a dwelling on fire, and I'll use this as an example, we automatically send in what we call the first end company. Then we send a back-up unit which is also a pumper, plus we send in an aerial ladder unit, so that on any dwelling fire we automatically dispatch three pieces of equipment because of the inherent danger of the dwelling and the need for rescue and everything else. But let's assume engine company number eight is the first call company and it's in their area of responsibility.

Responding with engine eight will be two public safety officers. These two public safety officers will automatically respond. They'll be dispatched from communications. If you'll recall I said earlier that in seventy to eighty percent of the time the public safety officer is on the scene either at the same time or before the engine company. In the trunk of the police vehicle that he is driving, the public safety officers will have his quick hitch system which is the fire pants, the jacket, the hat and everything else plus certain small tools. If he arrives first and he's needed, he's got two extra extinguishers, a chemical and a water extinguisher. In seventy to eighty percent of the times he responds, he will be what we call dressed out, which means he's ready to fight fires, he's got on the fire gear and everything else.

Another interesting point in terms of the public safety officer response is that approximately fifty percent of all alarms are false, so if he's arriving in a police car at the same time or before the engine company, he can automatically communicate back any data that he has that this is a false alarm or something such as this. In many instances he'll have the fire out by the time the fire apparatus arrives. If it's a vehicular fire, carburetor fire, or something like that, he'll have it out. If it's a false alarm he'll be able to radio it back, so that having the public safety officer on the scene also increases productivity, because when you have a dwelling fire alarm you've got three pieces of apparatus out of service and the faster you can get those back into service the better protection you have for the rest of the city.

LEN: How about the most important jobs that police-fire people are involved in and that is saving lives. Do you have any figures where the public safety officer, being the first one on the scene has rescued people from fires who ordinarily would possibly have died?

POMRENKE: No, we don't have any real figures in this respect because we just don't have that many deaths from fires. In Winston-Salem, or any place else in the nation here, I would merely have to go on the assumption that if somebody is there first and a rescue operation takes place, that sooner or later they're going to rescue somebody before the fire apparatus gets there.

LEN: Conversely, have you noticed any increase in the

number of injuries to the public safety officer as opposed to the previous arrangement where the Fire Department was the main department?

POMRENKE: No, I haven't seen any increased injuries to public safety officers operating as firemen or public safety officers operating as policemen.

LEN: What was the basis of the reduction, let's say of the fire department, in terms of reducing the number of people on the apparatus to two in the public safety areas? What was it based on, if it wasn't based on a safety factor?

POMRENKE: I think it's based upon their fear in the Fire Department of losing the traditional identity that they've had for a number of years. I think the firefighters, and perhaps rightfully so, are afraid that the day is coming when there will be an eight-hour shift in the fire service and that there will be one man in the fire company, and it'll be his function to get the rig to the scene of the fire. During our attempt at re-organization, the firefighters made a big point out of the fact that it's a team approach and that the team ought to leave the station at the same time. It was the city's position that it didn't make any difference how many men left the station with the truck but how many men were on the scene. And the city has maintained that the team approach can still be accomplished easily at the scene of a fire through the system of training.

We're now involved in a training system with public safety in fire that we're fairly sure will work really

POMRENKE: We're closely monitoring it. And we're also monitoring public safety officer response to fires, because I think the first indication you would get in terms of any problem areas is if when the fire calls come out the public safety officer is advising communications that he can't go out because he's tied up with something else.

And you know, if you think of this as an indicator, it's why I consider the statistics as to what percentage of time the public safety officer arrives either at the same time or before as important. As I've stated earlier, we're running somewhere between seventy-five to eighty percent, and if that decreases considerably I think it may be valid to start looking at the man's reaction to the system itself.

LEN: Have you managed to incorporate any new police techniques in your department? For example, the neighborhood police team concept or the vertical patrol or crime prevention techniques that are so prevalent now within the public safety concept?

POMRENKE: Right now we've got two teams operating and this is based on an LEAA grant. The two team policing areas are in the traditional area. They're not in public safety because we didn't want to add the fire response to the team; we wanted to do an evaluation as to how the team policing works in Winston-Salem. We have two experimental areas for team policing and one control area.

The Chief of Police and I have sat down along with

"In addition to classroom in-service training, we're setting up a system whereby each public safety officer will be assigned three hours a month in an engine company."

well. In addition to typical classroom in-service training, we're setting up a system whereby each public safety officer will be assigned three hours a month in an engine company. That engine company then has the responsibility of training him for those particular three hours. And the public safety officer who will go into the fire company is the same public safety officer who will be working with that fire company.

LEN: Would you go so far as to say that during the period of attrition when there are all the members of the department — and the public safety officer — that there is a certain amount of featherbedding involved in a four-man team responding to alarms?

POMRENKE: I don't know if it's featherbedding. Not only in fire but perhaps in police also, one of the best things that happened to us in Winston-Salem is that in January 1975 we went into a hiring freeze. We didn't hire anybody and, as a result, in the whole public safety system we're fifty men short. And now we've had a lot of cries from police and we've had a lot of cries from fire that we just couldn't operate that way because of the manpower shortage. Yet our statistics for 1976 show a decrease in crime. We've also had a decrease in the fire incident rate. Our insurance claims have dropped considerably in the last four or five years.

I don't think it's featherbedding in the fire department. I think it's really a system of manpower allocation. Fire service personnel, I think will always tell you how many men they need and there's a big difference between what they say and what the city says in terms of how many men they need. We're convinced — I'm talking about myself, the city, and the fire chief — that we can operate a public safety fire company with two men providing we have two men on duty who can operate that system.

LEN: Conversely, once again, in terms of the tremendous stress — both mental and physical — that's involved with both of these services, do you feel that there's going to be any increase in the amount of sick time, or the amount of early retirements due to heart attacks, or whatever, in connection with this combination of services?

POMRENKE: We haven't seen any problems whatsoever in this respect.

LEN: Has any attention been given to this?

the fire company and have worked and looked at it very closely. What we have suggested to LEAA is that if team policing under this experiment works, then we would like to carry it one step further and utilize the team and the public safety system together. We have a number of things which we've envisioned for five to perhaps ten years from now based upon whether or not we have success with team policing. One idea is to utilize the fire stations as team headquarters throughout all of Winston-Salem, because you've got a beautiful setup that is already available. Fire stations are located in areas where they're needed and if you look at the statistics you'll find those areas that have a high fire incident rate also have the high crime rates. So the fire engine company is the logical place to house team policing on a decentralized basis. If you can utilize the fire house, then you have built-in facilities for team policing, plus you also have the added advantage of adding the fire response to the team response.

LEN: I could see a number of advantages to that whole concept. First of all, traditional firemen are looked upon more in terms of saving peoples lives than enforcing the law, which is a public relations thing that the police haven't been able to overcome. And the second thing is that there are certain barometers, in terms of fire, that you could measure success by, namely the number of false alarms that were pulled in the area and the number of abandoned buildings and miscellaneous types of fires. Do you expect to find some success in these areas?

POMRENKE: I'm convinced of this. If we had the physical facilities right now in Winston-Salem we would combine some other functions. We already, last fall, combined the supply system. We have one uniform now. We have one vehicle that both police and fire use. The only difference is that when fire uses it, it has red beacon lenses because state law only allows law enforcement officers to use the blue lenses. So all the uniforms are combined. The vehicles are combined. Ordering systems — purchasing — have all been combined in public safety.

The one we would really like to combine, if we had the physical facilities, would be fire planning, fire prevention, police planning and research, and police crime prevention. I can't think of anything more workable.

Continued on page 8

COMING IN LAW ENFORCEMENT NEWS

*An interview with Chief Arthur Dill,
Police Chief of Denver, Colorado*

*Part II of "Emile Durkheim and the
Functional Analysis of Crime"*

*An American Criminal Justice Professor
Looks at the British National Police College*

Current Job Openings in the Criminal Justice System

Faculty Positions. The State University of New Jersey at Rutgers' School of Criminal Justice invites applicants for faculty positions in the school's graduate program on the Newark campus. The school offers interdisciplinary programs of instruction toward the master of arts and doctor of philosophy degrees and engages in research and public service.

Position ranks will depend on qualifications and experience. Appointments are on university budget lines, to begin in fall semester, 1977. Special consideration will be given to candidates with expertise in the following areas: research program development, law enforcement, research methods and statistics, and community organization.

Send application and resume before February 1, 1977 to: Don M. Gottfredson, Dean, School of Criminal Justice, Rutgers University, 53 Washington Street, Newark, NJ 07102.

Assistant Professor of Criminal Justice. A temporary one year position is available, beginning September 1977, at Pan American University in Edinburg, Texas. Responsibilities involve instructing introductory and advanced courses in criminal justice with a law enforcement emphasis.

Minimum qualifications: masters degree in criminal justice or law enforcement; police experience preferred. Compensation dependent upon qualifications, starting at \$14,000 for nine months with summer teaching generally available.

Send vita and unofficial transcript before March 15, 1977 to: David L. Carter, Coordinator, Criminal Justice Program, Pan American University, Edinburg, TX 78539.

Police Management Consultant. The State of Pennsylvania requires a community services consultant in regionalized field service to participate in a local government program. Duties include assisting and advising elected and appointed municipal officials, conducting police research, performing police management and police consolidation studies.

Candidates should have three years of experience in local government police administration. Consultative, research, and/or teaching experience in police administration will be considered. Salary range: \$14,787 to \$19,364.

Resume should be sent to: Pennsylvania Department of Community Affairs, Personnel Management Division, Room 110 South Office Building, Harrisburg, PA 17120.

Lecturers. The Overseas Divisions of the University of Maryland University College are seeking lecturers in law

enforcement and criminal justice to begin August, 1977. Ph.D. or doctoral candidate or two relevant masters and recent college teaching experience is essential. Preference will be given to generalists who can teach in both criminology and law enforcement. Good classroom performance is a must.

Positions require travel every two months. No family housing or dependent schooling will be provided.

Send application and resume to: Dean, University of Maryland University College, College Park, MD 20742.

System Analyst. The City of Planfield, New Jersey has set a salary range of \$14,190 to \$19,380 for a System Analyst position. Successful applicant will help determine informational needs of the city's police division and will participate in drafting of equipment and bid evaluations.

Qualifications include a bachelor's degree in business administration or law enforcement and a minimum of three years' experience in computer programming and system design. Experience in operation of police records system is preferred.

Send resume to: City Hall, Personnel Office, 515 Watchung Avenue, Plainsfield, NJ 07061.

Assistant Professor, Criminal Justice. King's College in Wilkes Barre, Pennsylvania is offering a one year replacement appointment, with the possibility of renewal. Ph.D. is preferred, however, candidates must have a master's degree plus teaching experience.

Appointee will begin in the Fall of 1977. Send complete resume, including three letters of reference, to: Dr. Denton B. May, Academic Dean, King's College, Wilkes Barre, Pennsylvania 18711. Application deadline is March 15, 1977.

Assistant Professor, Sociology. Position at the University of Connecticut involves teaching introductory courses related to the study of crime and law, and counseling students. Ph.D. with broad sociological background with special strengths in criminology, sociology of law and deviance required.

Position will be available on September 1, 1977. Apply by February 15, 1977 to: Sociology Recruitment Committee, U-68, University of Connecticut, Storrs, Connecticut 06268. Specify position number 7A-32 in your application.

Crime Laboratory Technician. Clinton Community College in Plattsburgh, New York has an immediate opening in its college crime lab. Successful applicant will assist the lab director in mock crime scene prepara-

tions and be responsible for maintenance, equipment, supplies, etc.

Requirements include an AS or BS in Criminalistics, Evidence Technology or related fields. Video-tape experience and qualifications as an expert witness are preferred. Salary has been set at \$8,500 plus full benefits.

Submit resume to: Dean Don Boyd, Clinton Community College, Plattsburgh, NY 12901.

Faculty Member. A position will be open in September at California State College at Bakersfield for an Assistant or Associate Professor to teach in the general area of criminal justice.

Appropriate Ph.D. plus criminal justice experience is required for this tenure track position emphasizing teaching excellence, research involvement and effective liaison with community criminal justice agencies.

Send complete resume to: Professor Philip Silverman, Department of Sociology/Anthropology, 9001 Stockdale Highway, Bakersfield, CA 93309.

Faculty Member. Armstrong State College in Savannah, Georgia has an opening for a Ph.D. in criminal justice or a related field. Teaching and/or field experience in the criminal justice area is required. Other qualifications include demonstrated skills in human relations training and demonstrated research competence.

Submit resume and three letters of recommendation to: Dr. William L. Megathlin, Head, Department of Criminal Justice, Armstrong State College, Savannah, GA 31406.

ARCO BOOKS FOR LAW ENFORCEMENT OFFICIALS

Police Science:

MODERN POLICE SERVICE ENCYCLOPEDIA

By A. L. Salottolo. Alphabetically arranged, 2,000 terms and subjects defined and described. 264 pages. Paper \$6.00

THE INVESTIGATOR'S HANDBOOK

By Capt. C. A. Vollmer and A. Liebers. A practical book of investigative techniques. 224 pages. Cloth \$6.00

CRIMINAL SCIENCE QUIZZER

By A. L. Salottolo. An indispensable tool for officers studying for promotion exam. 160 pages. Cloth \$8.00

CRIMINAL LAW QUIZZER

By A. L. Salottolo. Criminal and penal law and procedures by the examination question-and-answer method. Paper \$8.00

ARCO LAW ENFORCEMENT PROMOTIONAL EXAMS

CAPTAIN, POLICE DEPARTMENT

Includes 5 previous exams with correct answers plus study sections with sample questions and answers. 416 pages. Paper \$8.00

LIEUTENANT, P.D.

3 actual previous exams with answers. Thousands of previous questions by subject. 440 pages. Paper \$8.00

SERGEANT, P.D.

A highly practical course of instruction for every police officer looking forward to promotion. 416 pages. Paper \$7.00

POLICE PROMOTION COURSE:

Police Science Advancement. An all-inclusive test preparation for every police officer seeking promotion. 736 pages. Paper \$10.00

Send check or money order (plus 50¢ shipping) to:

ARCO PUBLISHING COMPANY, INC.
219 Park Ave. South, New York, N.Y. 10003

Policing and the Public Safety Approach

Continued from page 7

than to have police prevention programs tied in with fire prevention, because there's so much commonality between police planning and research and fire planning. Traditionally they've worked apart from each other and have never known what the other was doing, but there's a tremendous amount in common between the two. The crime prevention people who talk to citizens in terms of how to protect their home from burglaries and other types of crime, could talk to them in terms of keeping

their homes safe from fire and anything else in this respect.

LEN: I have one final question and it has to do with something that's happening in New York City called co-terminality. This involves not only providing major services to the city but, in addition, making co-terminal district boundaries within the city whereby all services to the people of that community or that segment of the community would be administered in the same district. In this way, an area planning agency would direct all the complaints to the various services that were within that area. Can you expand the concept of the public safety officer to include other services to the public or not?

POMRENKE: I would imagine that when we get a better handle on public safety through statistics and various other ways to evaluate it — that the city will add other functions to what I'd call "areas" of the city, so that each area of the city would have access to those particular city services. In some areas I think that this would probably be impossible — in terms of a utilities commission — water, sewer, etc. But many of the problems that people have in a particular area should be addressed by the city. And I think that team policing from the standpoint of public safety has sort of started this in that we're taking the function back to the people so that they can see who the people are, they can see where the responsibility lies, and I think ultimately it will end up to be a much better system of government.

LAW ENFORCEMENT NEWS

Available To Groups

Complimentary copies of Law Enforcement News for distribution to groups, meetings, conferences, or classes will be supplied to legitimate concerns on request. Please notify the editor at least 30 days in advance of the date and indicate the number of copies required.

CRIMINAL JUSTICE LIBRARY

BOOK NOTES

Émile Durkheim and the Functional Analysis of Crime

By ANTONY E. SIMPSON

Durkheim's initial theory dealing with the nature of criminal law and its social applications is developed in his 1893 publication, *The Division of Labor in Society*. The general problem addressed in this work relates to the notion of social order and the relationship between individual action and the mechanisms which exist to regulate and maintain this order. For Durkheim, the problem of order acquires particular significance when discussed in the context of economic relationships within modern industrial society. Durkheim offers two general reasons for the existence of fundamental difficulties in the preservation of order in those societies characterized by "organic solidarity", i.e., those in which economic differentiation provides the basis for social relationships.

The first of these concerns the inadequacy of prescribed social rules as regulators of these relationships. In societies based on individual specialization, contractual agreements have come to act as the major influences on social activity. As a result of this, the influence of law as the embodiment of the "collective conscience" and the regulator of behavior is reduced. Most contractual relationships are "... devoid of all juridical character, they are sanctioned only by opinion, not by law; and it is well known how indulgent opinion is concerning the manner in which these vague obligations are fulfilled. The most blameworthy acts are so often absolved by success that the boundary between what is permitted and what is prohibited, what is just and what is unjust, has nothing fixed about it, but seems susceptible to almost arbitrary change by individuals. ... The result is that all this sphere of collective life is, in large part, freed from the moderating action of regulation" (1893:2).

Secondly, the results of economic specialization are considered to make conflicting demands on all members of industrialized society: "Generally, the maxim ordering us to specialize is refuted by the contradictory maxim commanding us all to realize the same ideal" (1893:44). However, Durkheim does not regard social dysfunction as being the necessary consequence of these conflicting demands. Antagonistic social forces are viewed as constituting a system of checks and balances which fulfills a variety of human

needs.

In analyzing the fundamental question of how members of any society achieve a level of social consensus, Durkheim emphasizes the importance of the system of rules which affect the form and structure of all social relationships. The "collective conscience" is an amalgam of ethical and social values shared, to varying degrees, by members of a society, but it is above all an entity which is external to the individual consciousness of any member of a group. This position reflects Durkheim's basic, and influential, view of human behavior as conditioned by factors which are beyond the control of the individual and which cannot be explained or interpreted in terms of individual motivation.

Following this, the contractual types of relationships which persist in societies characterized by extensive division of labor cannot be said to form the basis of such societies. If this were so, the social arrangements would be explicable as the result of individual decisions which are rational and self-serving. Relationships are in fact viewed as a consequence of the existing social and economic structure which is in turn strongly influenced by the "collective conscience" which prevails (Aron 1967:11-24; Durkheim 1893:396-409). Integral to this approach is a view of morality as a phenomenon which is social in essence. The moral rules which apply in any society are functional insofar as they support existing social arrangements.

"Everything which is a source of solidarity is moral, everything which forces man to take account of other men is moral, everything which forces him to regulate his conduct through something other than the striving of his ego is moral, and morality is as solid as these ties are numerous and strong. ... Society is not, then, as has often been thought, a stranger to the moral world, or something which has only secondary repercussions upon it. It is, on the contrary, the necessary condition of its existence" (1893:398-9).

Durkheim does not therefore discount the importance of morality as a social force. Rather, he puts it into perspective as an influence which is itself determined through the interaction between the "collective conscience" and the existing social structure. Morality will always be function-

al in maximizing the social solidarity which supports the existence and operation of the social system.

Laws and customs are clearly representative of the moral rules which operate in a society. This being so, Durkheim is very much concerned with the legal system as a mechanism through which the "collective conscience" acts to regulate with the functional objective of preserving the level of social solidarity.

"This visible symbol (of social solidarity) is law. In effect, despite its immaterial character, wherever social solidarity exists, it resides not in a state of pure potentiality, but manifests its presence by sensible indices. We can thus be certain of finding reflected in law all the essential varieties of social solidarity" (1893:64-5).

Contractual obligations being an important feature of societies characterized by

Continued on page 10

New Periodical to Examine Trends in Crime and Science

The Forensic Sciences Foundation has begun publication of a new quarterly publication, *Scientific Sleuthing Newsletter*, dealing with developments in the application of science to crime control.

Edited by Prof. James E. Starrs of George Washington University and Charles R. Midkiff of the U.S. Treasury Department, the newsletter will contain reviews of relevant appellate court opinions from all Federal and state courts, and news of articles in other journals relating to the growing area of forensic science.

The newsletter is available on a subscription basis to individuals at a cost of \$6.00 per year. Institutional subscriptions are priced at \$10.00 annually. A sample copy of the first issue can be obtained free upon request.

To order the newsletter, contact the Forensic Sciences Foundation, 11400 Rockville Pike, Rockville, MD 20852

New Publications from the Criminal Justice Center

The following publications are now available from the Criminal Justice Center of John Jay College of Criminal Justice.

Evidence Technician Program Manual _____ # of Copies
By Joseph L. Peterson and James H. Jones **\$2.95**

This manual examines the role of police officers and civilians charged with the responsibility of searching crime scenes for physical evidence and returning it to the forensic laboratory for analysis. The authors discuss five important aspects of developing an effective evidence technician program, including: selection and training of personnel, the physical resources needed for the processing of crime scenes, optimal organizational structures, effective field operations, and guidelines for developing meaningful evaluations. (89 pp.)

Guide to Library Research in Public Administration _____ # of Copies
By Antony E. Simpson **\$4.95**

This book was especially written for graduate students, undergraduates, faculty and organizationally-based researchers, engaged in research in public administration. It also includes material likely to be of considerable value to students in other specialties within the social sciences.

The major sources and reference tools which provide access to the literature of the field are cited and described and are discussed in the context of an overall library search strategy designed to solve any given research problem. (210 pp.)

Grants and Grantsmanship _____ # of Copies
By Robert E. Gaensslen and Allanna Sullivan **\$.75**

For many organizations, seeking external funding is becoming a matter of prime concern. Because of the present economic crunch, the programs and services of agencies are being cut and modified. Therefore "grantsmanship" is fast becoming a necessary skill. To help inform those in the criminal justice field of the intricacies involved in acquiring a grant, the Criminal Justice Center at John Jay College has reprinted "Grants and Grantsmanship," a three-part series published in LAW ENFORCEMENT NEWS (16 pp.)

Basic Legal Research in the John Jay College of Criminal Justice Library _____ # of Copies
By Antony E. Simpson **\$1.50**

Written to meet the particular needs of the John Jay College student body, this booklet presents discussion and descriptions of selected bibliographic sources appropriate for legal research involving federal, New York State and New York City law. Such tools as citators, digests and encyclopedia are discussed in depth. The booklet provides a valuable and concise introduction to legal bibliography and standard techniques of legal research. (42 pp.)

Please send me the publications checked above. Enclosed is my payment of \$ _____

Name _____

Address _____

City _____ State _____

Zip Code _____

Make checks payable to the Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019.

Comparative Criminal Justice Journal To Publish Debut Issue in Spring

A new journal which will emphasize the field of comparative criminal justice and the practical application of research findings in that area will begin publication this spring, according to a recent announcement by Wichita State University.

The *International Journal of Comparative and Applied Criminal Justice* will feature articles focusing on two distinct but related concepts, noted Dr. Dae Chang, editor of the publication.

First, he said, articles will examine comparative analysis of legal, police, judicial and correctional systems, cross-cultural comparisons of offender groups; and com-

parative theories of criminal justice and criminology. In addition, papers selected for publication will include recommendations for implementing the findings in the context of specific criminal justice systems.

The journal, which will be published twice yearly in the spring and fall, is available on an individual subscription basis for \$7.00 per year, or \$5.00 for students.

For further information about the journal, write to Dr. Dae H. Chang, *International Journal of Comparative and Applied Criminal Justice*, Department of Administration of Justice, Wichita State University, Wichita, Kansas 67208.

Now Listed With NCJRS

89 Pages
price \$2.95

EVIDENCE TECHNICIAN PROGRAM MANUAL

By Joseph L. Peterson
and James H. Jones

The utilization of scientific methods for the examination of physical evidence recovered in the course of criminal investigations has become a critically important function of the nation's law enforcement agencies. This manual examines the role of police officers and civilians charged with the responsibility of searching crime scenes for physical evidence and returning it to the forensic laboratory for analysis. These individuals, often referred to as evidence or crime scene technicians, are on the staffs of most urban police departments today. Many agencies now train evidence technicians to be specialists who devote their total professional attention to the search for physical evidence. Through specialization, it can be expected that crime scenes will be searched with less delay and greater expertise than in situations where patrol, detective or crime laboratory personnel have shared responsibility for recovering the evidence.

Five important aspects of developing an effective evidence technician program are discussed in this manual. The key element is the selection and training of competent personnel who will become evidence technicians. Next in importance are tools, kits and vehicles which are used by the technician in processing crime scenes. Also discussed is the need for a strong organizational commitment to the crime scene search function, the implementation of actual field operations, and finally, means for evaluating an evidence technician operation. Guidelines for developing meaningful program objectives and appropriate criteria for measuring progress toward those objectives are presented.

A publication of the
Criminal Justice Center
448 West 56th Street
New York, N.Y. 10019

Please send me _____ copy(ies) of
the Evidence Technician Program Man-
ual. Enclosed is my check for \$2.95
for each copy ordered _____. Please
bill me _____.

Name _____
Address _____

Durkheim and the Analysis of Crime

Continued from page 9

organic solidarity, restitutive law plays an important role in such societies. In such situations, the primary role of the legal system is therefore to encourage an individual's commitment to his responsibilities and to further cooperation between all members of society. Societies which are undifferentiated and which are based on resemblances between their members and conformity to a single value-system are considered to be based on "mechanical solidarity". In these societies, the function of the criminal justice system is to ensure that citizens continue to subscribe to a single system of group values and thereby maintain "mechanical solidarity" in its original and monolithic form.

Under conditions of "organic solidarity" the law is, as already noted, the agent for maximizing cooperation within society. Sanctions against breaking the law are designed to bring restitution to offended parties. They are not penalties, in that they are not intended to do anything more than ensure that social agreements of all kinds are binding on those entering into them. Restitutive systems therefore operate primarily as means of stabilizing existing social relationships.

Criminal acts are viewed quite differently under conditions of "mechanical solidarity". Here, those acts which challenge the "collective conscience" are defined as criminal acts. Punishment of them is necessary to discourage similar violations and in order that the significance of the rule which has been broken". . . be affirmed forcibly at the very moment when it is contradicted" (1893:108). Legal systems of this type are defined by Durkheim as being repressive and punishment in them is necessary for preserving the values to which society prescribes. The . . . true function (of punishment) is to maintain social cohesion intact. . . ." (1893:108).

An obvious question raised by Durkheim's distinction between restitutive and repressive law concerns the different role occupied by punishment in each of these legal systems. If punishment is necessary to preserve the social solidarity which is important to any type of society, then why does Durkheim fail to emphasize it in association with restitutive law? The answer to this appears to lie in his discussion of the distinction, occurring under conditions of "mechanical solidarity", between acts which are criminal, and therefore proscribed by law, and those which are merely deviant and subject only to society's general disapproval.

Durkheim makes this distinction in two ways. To qualify as a crime, an act must not only be condemned uniformly within society: "The collective sentiments to some distinctive property; they must have a certain average intensity" (1893:77). Not only must all citizens disapprove of an act before it can be declared criminal, but all must view it with a comparable degree of disapproval. Only in this way can an act reflect "collective sentiments" against it and come to be defined as criminal. Durkheim makes this point in another way in referring to the accuracy with which criminal acts can be defined.

"It is not sufficient, then, that the (collective) sentiments be strong; they must be precise. In effect, each of them is relative to a very definite practice. This practice can be simple or complex, positive or negative, that is to say, consist in action or abstention, but it is always determined" (1893:79).

Criminal codes do, of course, exist in societies characterized by "organic solidarity" and which supports systems of restitutive law. However, the statutes embodied in these codes do not necessarily represent a fixed set of "collective sentiments". As social relationships under "organic solidarity" are more fluid, and the identification of a single "collective conscience" more problematic, the law is functional in facilitating cooperation within society. From certain viewpoints, restitutive law may indeed be repressive. The crucial point is, however, that its primary function is not to demonstrate the existence of a monolithic value system.

From the above, it is not surprising that Durkheim's functional analysis of repressive law is only presented within the context of "mechanical solidarity". The function of punishment in this kind of society is clear. Historically, punishment existed as a "passionate reaction" against crime:

"In effect, primitive peoples punish for the sake of punishing. . . . But today, it is said, punishment has changed its character; it is no longer to avenge itself that society punishes, it is to defend itself. . . . It punishes, not because chastisement offers it any satisfaction for itself, but so that the fear of punishment may paralyze those who contemplate evil." (1893:85-6).

No difficulties here; punishment is clearly assigned the twin roles of deterring the potential criminal and drawing attention to the importance of the legal principle, (by definition a "collective sentiment"), which has been flouted. The fact that punishment may be administered vengefully does not affect this analysis: "It is still an act of vengeance since it is an expiation. What we avenge, what the criminal expiates, is the outrage to morality" (1893:89).

If there is no doubt of the function of punishment in this system, Durkheim's functional analysis of criminal law leaves some unresolved difficulties. The major function of this law is undoubtedly to maintain the intensive social bonds which are the major feature of societies exhibiting "mechanical solidarity". This point is made throughout the Division of Labor and its validity will not be questioned here. There are, however, a few indications that Durkheim may have had a few reservations about the very impartiality which he associates with repressive law.

It seems likely that the legal system, although treated by Durkheim as a kind of secular expression of the "collective conscience", must also reflect the power structure which exists in a society. The closer a society comes to an ideal type of "mechanical solidarity," the more legitimate will the concept of the "collective conscience" be as the source of universally accepted values. The further situations are from this ideal type, the more likely will the values represented in the legal code be to stem from powerful interest groups. If the law is not the codification of the values of all citizens, the violations of it may represent the failure of the legal system to fulfill the needs and wishes of the entire population.

As long as the law, repressive though it may be, exists as a statement of universal values, all is well. Unfortunately, there does not seem to be any way in which one can be sure of knowing whether or not this is indeed the case. In any society where power is unequally distributed, there is always the possibility that infractions of the law should be seen, not as outrages to popular morality, but rather as symptoms of the absence of a morality which is uni-

versal.

Hints of this type of reservation are given at various points in the Division of Labor. When discussing the nature of those acts which are defined as being criminal, Durkheim refers not just to acts which offend collective morality, but also to those of another kind:

"The acts that (repressive law) prohibits and qualifies as crimes are of two sorts. Either they directly manifest very violent dissemblance between the agent who accomplishes them and the collective type, or else they offend the organ of the common conscience" (1893:106).

We are now quite familiar with the Durkheimian concept of crimes defined as violations of the "common conscience". But what of crimes defined according to the different motivations of the criminal and the "collective type"? Durkheim appears to consider this type as an embodiment of a society's historical experience and recognizes the possibility that this type may not represent the entire population and may also stand for moral positions which are no longer functional in terms of society's current needs (1893:106-7). This section of his discussion provides support, albeit implicitly, for the point that, even under "mechanical solidarity", acts which are categorized as being criminal are not necessarily condemned universally in society.

At one stage in this analysis, attention is directed toward the specific problem of whether or not governments fulfill their responsibilities for legislating codes which are honest interpretations of the "collective conscience". Durkheim does not address this problem by considering the criteria which determine the legitimacy of regimes. Instead, he suggests that the scope of the criminal laws enacted by a government will be determined by the extent to which the regime can truly be said to be representative of "collective sentiments":

"The extent of the activity which the governmental organ, exercises over the number and qualification of criminal acts depends on the force it receives. That can be measured either by the extent of the authority which it exercises over citizens, or by the degree of gravity recognized in crimes directed against it" (1893:85).

For Durkheim, the definitive character-

Continued on page 12

MOVED?

LET US KNOW

PLACE OLD
ADDRESS
LABEL HERE. •

IT MUST CONTAIN
CDMPUTER I.D.
ADDRESS
NUMBER

NEW ADDRESS

Name _____
Address _____
City _____
State _____
Zip _____

MAIL TO:

Law Enforcement News
Room 2104
444 West 56th Street
New York, New York 10019

February 1-4, 1977. Seminar on Homicide. Sponsored by the Macomb County (Michigan) Criminal Justice Training Center. For more information, including fees and location, contact Robert Hayes, Macomb Criminal Justice Training Center, 16500 Hall Road, Mt. Clemens, MI 48044.

February 6-8, 1977. Workshop Executive Development for Georgia Association of Chiefs of Police. To be held in Athens, Georgia. For details, call or write: Mike Swanson, Continuing Education Program, Police Sciences Division, Institute of Government, University of Georgia, Athens, GA 30602. (404) 542-2994.

February 7-8, 1977. Seminar on Understanding and Obtaining Federal Grants. To be held in Chicago, under the sponsorship of New York University. Fees: \$295.00 tuition per person plus \$50.00 registration fee per organization. For registration and additional details, write: SCENYU Registrations, New York Conference Management Center, 360 Lexington Avenue, New York, NY 10017.

February 7-9, 1977. Workshop. "The Crime of Rape - The Police Response" At University Park, Pennsylvania. Fee \$175.00. For application and further details, contact: Edwin J. Donovan, The Pennsylvania State University, S-203 Henderson Human Development Building, University Park, PA 16802. (814) 863-0357

February 14-18, 1977. Seminar on Sexual Offenses and Sexual Behavior. Sponsored by Indiana University's Center for Criminal Justice Training, and to be held in New Orleans. Tuition fee: \$250.00. For more information, write: Center for Criminal Justice Training, Indiana University, School of Public and Environmental Affairs, Harrison Building, Suite 502, 143 Market Street, Indianapolis, IN 46204.

February 14-25, 1977. Mid-Winter Seminar on Current Problems and Concepts in Police Administration. To be held in Louisville, Kentucky. Tuition \$300.00. For further information and registration, contact: Seminar Coordinator, Southern

Police Institute, School of Police Administration, University of Louisville, Louisville, KY 40208. (502) 636-4534.

February 15-17, 1977. Workshop Techniques to Prevent Corruption. In Atlanta, co-sponsored by Georgia State University and John Jay College of Criminal Justice. Registration fee \$50.00. For further information and registration, contact Nancy Rutkowski, Workshop Coordinator, Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019 (212) 247-1600

February 20-24, 1977. Institute for Newly Elected Prosecutors. To be held in Houston under the sponsorship of the National College of District Attorneys. For further details, contact Registrar, National College of District Attorneys, College of Law, University of Houston, Houston, TX 77004 (713) 749-1517.

February 28-March 11, 1977. Police Budget Preparation Workshop At Northwestern University, Evanston, Illinois. Workshop fee: \$380.00. For more information, write or call: George Burnett, Special Programs Supervisor, Traffic Institute, Northwestern University, 405 Church Street, Evanston, IL 60204. (312) 492-7242

February 28-March 25, 1977. Police Executive Development Program To be held in University Park, Pennsylvania. More information and application forms can be obtained from: James R. Horner, Training Supervisor, POLEX Program, The Pennsylvania State University, S-203 Human Development Building, University

Upcoming Events

Park, PA 16802.

March 7-10, 1977. Workshop on Equal Employment Opportunity and Affirmative Action. To be held in Atlanta under the sponsorship of the International Association of Chiefs of Police. For complete information, write: IACP, Legal Development Division, 11 Firstfield Road, Gaithersburg, MD 20760 (301) 948-0922

March 7-10, 1977. Training Course Development of Computer Capability in Local Law Enforcement Agencies. To be held in New Orleans, and sponsored by the International Association of Chiefs of Police. Tuition \$275.00. For full details, call or write: Allen L. Pearson, Research Consultant, IACP, Technical and Research Services Divisions, 11 Firstfield Road, Gaithersburg, MD 20760 (301) 948-0922.

March 7-18, 1977. Police Supervisor In-service Training (POSIT) Program. At University Park, Pennsylvania. Tuition fee \$475.00. For contact address to receive additional details, see February 7-9.

March 14-16, 1977. Seminar on Security Supervision Presented by Indiana University's Center for Criminal Justice Training, in Indianapolis. Tuition \$75.00. For further details, consult: February 14-18

March 14-18, 1977. 30th Annual Convention of the National Burglar and Fire Alarm Association. At the Century Plaza Hotel in Los Angeles. More information is available from: NBFAA, 1730

Pennsylvania Avenue, N.W., Washington, DC 20006

March 14-18, 1977. Workshop "Police Manpower and Resources Management" To be held in Denver by IACP's Professional Development Division. Further details can be obtained from Ray Garza, Police Management and Operations Division, IACP, 11 Firstfield Road, Gaithersburg, MD 20760

March 17-18, 1977. Short Course on Security and Privacy Issues for Criminal Justice Personnel. To be held in Chicago. Tuition \$155.00. For more information, contact: Michael O'Neill, Vice President, Theorem Institute, 1737 North First Street, Suite 590, San Jose, CA 95512.

March 20-23, 1977. Consumer Fraud Seminar. To be held in San Antonio, Texas, under the sponsorship of the National College of District Attorneys. For additional details, see February 20-24

March 20-24, 1977. Fourth National Conference on Juvenile Justice. Sponsored by the National Council of Juvenile Court Judges and the National District Attorneys Association. To be held at the Hyatt House, Orlando, Florida. Tuition: \$160.00. For complete information, write: Institute Director, National Council of Juvenile Court Judges, University of Nevada, P.O. Box 8000, Reno, NV 88507.

March 21-25, 1977. Police Instructors Course. At St. Petersburg Junior College. Tuition: \$125.00. For full details, write: Robert B. Tegarden, Director, Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33133.

March 21-April 1, 1977. Management Seminar on Terrorism. Presented by the New Jersey State Police at their Sea Girt Training Center. Designed for command-level personnel. Transportation costs to and from the seminar are funded in full, and all meals and lodging are provided. For registration and additional details, contact: Sgt. J.M. Paulillo, Project Coordinator, New Jersey State Police Training Center, Sea Girt, NJ

Telephone Given High Marks As Victimization Survey Tool

Continued from page 1

of their work who may wish to replicate the use of RDD victimization survey techniques in other jurisdictions," Lewis added. "Such replications, building upon this first major step, are essential."

Conducted in Cincinnati as a byproduct of Foundation sponsored research on the strategy of team policing, the study found that the RDD technique "proved as satisfactory as personal interviewing for collecting crime victimization data."

"In the citywide samples, the victimization rates for personal crimes were slightly higher in the RDD sample," the report said, "while the RDD rates for household crimes were considerably higher in every category; the rate for all household crimes measured in the RDD survey was 39 percent greater than the rate found in the LEAA-Census survey."

The authors noted that both surveys were demographically similar and that both methods "are equally good for measuring public opinion data."

According to the Police Foundation, exploratory work is underway at LEAA to determine applicability of the RDD technique to the continuing 60,000-household national victimization survey conducted by

LEAA and the Census Bureau. "Should applicability be established, the savings would indeed be substantial," Lewis said.

The RDD report is available from the Communications Department, Police Foundation, 1909 K Street, N.W., Washington, D.C. 20006.

Federal Planning Panel Urges Study of Marijuana Legalization

The Government should begin examining the possible legalization of marijuana use, a top-level Federal planning board urged in somewhat cautious terms last month.

The Strategy Council on Drug Abuse, which is required to prepare an annual Federal master plan for controlling drug abuse, recommended that the experiences of several states and nations that have reduced penalties against marijuana smoking be closely analyzed. The council stressed that the suggestion was not a blanket endorsement of decriminalization.

"The council is unanimous in its belief that Federal policy ought to strongly discourage its use," the strategy group said. "The question, however, is how do we most effectively accomplish this with the least cost to society."

Watchdog Group Says NBC Is #1 in Prime-Time TV Violence

The National Broadcasting Company led all the networks in prime-time television violence during the fall season, and General Motors' Chevrolet division sponsored the greatest number of violent programs, according to a survey conducted for the National Citizens Committee for Broadcasting (NCCB).

Committee chairman Nicholas Johnson told reporters last month that NBC's "Quest" series was the most violent program over the 11-week survey period, which ran from September 20 to December 5. The series has been canceled by the network for poor ratings and will be discontinued this month.

The NCCB study revealed that CBS-TV continued to show the least televised violence and that Peter Paul candy was the advertiser sponsoring the fewest number of violent programs. Eleven shows, including "The Mary Tyler Moore Show," "Chico and the Man," and "Sirota's Court," had no significant level of violence, the study reported.

Johnson, a former member of the Federal Communications Commission, said that his group was leaving "to the judgment of the consumer" whether to take economic action against leading sponsors

of violent shows.

The NCCB chairman noted that because of the survey listings it was no longer possible for advertisers and networks to say that they did not know that the shows were violent. "Now if they do it, they do it deliberately," he charged.

According to an NBC spokesman, the network is disputing the survey results. "The usefulness of the study is nullified because it counts acts of violence equally - a murder counts the same as a push or a shove," the spokesman said.

NBC also contended that the survey fails to provide data about who commits the violent act, under what circumstances, with what consequences, for what dramatic purpose, against whom, and with what audio-visual treatment.

"The result is that depicting violence in a way calculated to discourage it gets counted equal to a depiction that glorifies violence," the spokesman said. "These are the very aspects of programs with which Broadcast Standards departments deal with painstaking care. It is essential that they do so, because these are the very factors that seem most likely to determine the psychological meaning and behavioral impact of the depiction on viewers."

New Products For Law Enforcement

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor. Nothing contained herein should be understood to imply the endorsement of Law Enforcement News.

CRIME PREVENTION FILMS — "Crimes Against Persons" and "Crimes Against Property" are two community crime prevention presentations which demonstrate how the citizen can help himself and his police department in reducing crime.

The 20-minute films demonstrate simple precautions which will help protect the citizen from being victimized, and how members of the community can help the police stop crime before it happens.

Both 16 mm color/sound films are available for purchase or rental. Contact: Harper & Row Media, 10 East 53rd Street, New York, NY 10022.

MEDICAL TRAINING FILM — "Five Minutes for Survival" is designed as a training aid for personnel involved in providing pre-hospital care in trauma situations.

The 22-minute movie portrays simulated medical emergencies and shows a range of first response techniques in action. For example, a shooting victim is assisted by a fellow police officer, and a child suffering an electrical shock is given first aid by his father.

Designed to motivate as well as instruct, the film was created with the assistance of the American Association of Trauma Specialists (AATS) and reviewed by other leading emergency medical services groups, law enforcement agencies and several nationally recognized physicians working in the area of paramedic training.

Available for purchase or rent, the movie is accompanied by a new "Emer-

gency Care Handbook" and a comprehensive "Leader's Guide."

For further information or to arrange a preview, contact: Motorola Teleprograms Inc., 4825 N. Scott Street, Suite 23, Schiller Park, IL 60176. Telephone: (312) 671-1565.

TRAINING FILM SERIES — "Officer Survival: An Approach to Conflict Management" is a series of six films which provides in-depth instruction and practice in the techniques of conflict management.

The 16mm color/sound package presents techniques in approaching potentially explosive conflicts, obtaining identification, diffusing hostile individuals, and resolving conflict.

Each film examines different solutions to problems that a police officer may encounter in conflict situations. The series discusses gathering all necessary information in an organized and objective way, stopping physical violence without or with limited physical force, mediating disputes, and utilizing community resources.

A comprehensive 65-page training manual accompanies each film series and guides the instructor simply and effectively in obtaining maximum benefits from the program.

For further information, contact: Harper & Row Media, 10 East 53rd Street, New York, NY 10022.

CORRESPONDENTS WANTED

Law Enforcement News is seeking state correspondents to write stories dealing with topics of interest to the criminal justice community.

Émile Durkheim and Crime: The Functional Analysis Method

Continued from page 10

istic of crimes is that they offend principles, rather than particular institutions "Crime is not simply the disruptions even of serious interests; it is an offense against an authority in some way transcendent" (1893:85).

The Division of Labor includes important statements of Durkheim's theory of social deviance. It is limited however, in that while the social functions of crime and punishment are analyzed, little attention is paid to the social role of the criminal. Discussion of this aspect of Durkheim's theory of criminology is included in the Rules of the Sociological Method (1895), his major work dealing with the subject.

Durkheim's primary objective in this work is to present a particular methodological approach to the study of social phenomena. This approach emphasizes two themes which have since become of fundamental importance to the development of the theory and methodology of sociology in the twentieth century. The first of these themes concerns the perennial problem of the relationship between the social and physical sciences. His contention is that the social sciences are unique because of the distinctive nature of their subject matter. In terms of their methodology, however, the physical and social sciences are considered to be closely related. Both must apply techniques of observation and analysis which are strictly scientific, if they are to achieve their common objective of identifying laws of universal application:

"Sociology does not need to choose between the great hypotheses which divide metaphysicians. It needs to embrace free will no more than determinism. All that it asks is that the principle of causality be applied to social phenomena. . . . Since the law of causality has been verified in the other realms of nature, and since it has progressively extended its authority from the physico-chemical world to the biological, we are justified in claiming that it is equally true of the social world" (1895:141).

Durkheim's second theme reflects his concern that sociology confine itself to the

study of phenomena which are purely social in origin and resist attempts to explain social structure in terms of individual motivation. A belief that the forces which regulate the functioning of society are inherently beyond the control of the individual, and are incapable of being analyzed in psychological terms, is probably the most basic element in Durkheim's thought. In assessing the proper objectives for social study, Durkheim continually emphasizes his point that social structures can never be explained by reference to the psychological motivations of the individuals who make up society.

This point is integral to Durkheim's understanding of "social facts" as the proper subject matter for the study of society. According to this author, "social facts" emerge from a series of collective states which certainly bear some relationship to states of individual consciousness, but which can in no way be interpreted as, or reduced to, these individual states.

"Social facts do not differ from psychological facts in quality only: they have a different substratum; they evolve in a different milieu; and they depend on different conditions. This does not mean that they are not also mental after a fashion, since they all consist of ways of thinking or behaving. But the states of collective consciousness are different in nature from the states of the individual consciousness; they are "representations of another type. The mentality of groups is not the same as that of individuals; it has its own laws. The two sciences are thus as clearly distinct as two sciences can be, whatever relationships there may otherwise be between them" (1895:xlix).

"Social facts" are primary objectives of study in themselves because they have: "... a body, a tangible form, and constitute a reality in their own right, quite distinct from the individual facts which produce it" (1895:7).

(Antony Simpson's analysis of Émile Durkheim will be continued in the January 18 issue of Law Enforcement News.)

Police Impersonations Lead to Alabama Ban on Unmarked Cars

Alabama Governor George C. Wallace has put an end to the use of unmarked cars for traffic patrol by state troopers after the recent rapes of four women drivers who were stopped by a man in a car with a flashing blue light.

The governor abandoned the unmarked car technique last month, citing "abuses by impostors" and "general complaints about the practice" of using such vehicles.

Alabama troopers began using the cars earlier in 1976 during a publicity campaign which claimed that the use of unmarked patrol cars slowed traffic on interstate highways and saved lives.

The four reported rapes took place in the Birmingham area on three consecutive Sundays. Birmingham police have reported that the same man appears to have been involved in each incident.

On December 5, a 26-year-old woman said she was raped by a man after he used a flashing blue light to signal her to stop her car. Two teenagers said they were also abducted on the same day by a man fitting the same description, but were unharmed.

According to police officials, another rape was reported on November 21, and

two women were assaulted under similar conditions on November 28.

A few days before Wallace banned the use of unmarked cars, State Senator Eddie Gilmore of Birmingham said he would introduce legislation to prohibit the use of such vehicles for traffic patrol. He noted that the number of tickets given by troopers in unmarked cars did not justify "making women drivers defenseless prey to people who would resort to such tactics."

In a related action, Police Chief James C. Parsons of Birmingham has prohibited his force from using unmarked cars to stop female drivers except in emergencies or for felonies. He explained that in traffic cases a marked car should be called in by radio to assist the unmarked car.

WHAT'S ON YOUR MIND?

Have a comment you'd like to make? Law Enforcement News invites its readers to submit commentaries on any subject of current interest to the criminal justice community. All contributions should be sent directly to the editor's attention.

Subscribe Today To:

LAW ENFORCEMENT NEWS

A newspaper for the Law Enforcement Professional

Please enter my subscription to *Law Enforcement News*. I have enclosed \$8.00 for one year (20 issues) ☐. I have enclosed \$15.00 for two years (40 issues) ☐. Please bill me for one year ☐, for two years ☐.

Return to: *Law Enforcement News*, 444 West 56th Street, New York, NY 10019.

Name _____
Title _____ Agency _____
Address _____
City _____ State _____ Zip _____